

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Prisons Department – National Human Rights Commission, New Delhi – **Case No.580/1/2004-2005-CD/SCN** - Custodial death of Under Trail Prisoner, Wadde Dasarla Ramulu, died on the way to Government Headquarters Hospital, Mahabubnagar – Sanction of monetary relief of Rs.1.00 lakh to the next kin of the deceased – Orders – Issued.

HOME (PRISONS-C) DEPARTMENT

G.O.Rt.No. 1800

Dated: 27-09-2008

Read the following:

1. From the Joint Registrar(Law), National Human Rights Commission, New Delhi, Show Cause Notice in case No.580/1/2004-2005-CD/SCN, dated: 01-05-2007.
2. From the Collector & District Magistrate, Mahabubnagar, Lr. No.C1/5909/2004, dated: 19-05-2007 addressed to the National Human Rights Commission, and copy marked to the Government.
3. From the Director General & Inspector General of Prisons & Correctional Services, A.P., Hyderabad, Letter No. SB3/1079/04, dated: 23-5-2007 and 1-8-2007.
4. From the Collector & District Magistrate, Mahabubnagar, Lr.No.C1/5909/2007, dated: 10-01-2008 and 22-04-2008.
5. Government Letter No.13736/HRC/2007-14, dated: 25-06-2007, 06-07-2007 and 09-05-2008 addressed to the National Human Rights Commission, New Delhi.
6. From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, case No.580/1/2004-2005-CD, dated: 29-07-2008.

ORDER:

The Joint Registrar (Law), National Human Rights Commission, New Delhi, in reference first read above, has informed that the Commission has directed the State Government to Show Cause as to why interim relief to the next of kin of the deceased shall not be awarded as provided for under Section 18(3) of the Protection of Human Rights Act, 1993 in view of the fact that death of the prisoner, Wadde Dasarla Ramulu, on the way to Government Headquarters Hospital, Mahabubnagar, was hastened due to negligence on the part of the Jail Staff.

2. The Collector & District Magistrate, Mahabubnagar, in the reference second read above, while furnishing a copy of the Magisterial Enquiry Report pertaining to the custodial death of Wadde Dasarla Ramulu, S/o. Pedda Balaiah, R/o. Remoddula Village, Pangal Mandal, has informed the Hon'ble Commission that the Magisterial Enquiry Report has already furnished to the Hon'ble Commission vide Letter No.C1/5909/2004, dated: 11-09-2006.

3. The Director General & Inspector General of Prisons & Correctional Services, Andhra Pradesh, Hyderabad, in the reference third read above, has reported that the Head Warder was found negligent in referring the prisoner to Hospital in time, which ultimately resulting the death of the prisoner, and the Head Warder was immediately kept under suspension, and later on he was awarded the punishment of "Postponement of two annual grade increments with cumulative effect which also effect his pension" after conducting detailed enquiry under AP CCA(Conduct) Rules, 1991, by the Superintendent, District Jail, Sangareddy, Medak District.

4. The Collector & District Magistrate, Mahabubnagar, in the letter fourth read above, has reported that an exgratia amount of Rs.20,000/- has been sanctioned to the mother of the deceased, i.e., Smt. Wadde Narsamma, W/o. Pedda Balaiah, R/o. Remaddula village, Pangal Mandal vide Collector, Mahabubnagar, Progs. No.C1/5909/04, dated: 26-06-2007, and paid through D.D. No.154148, dated: 04-07-2007.

5. In the Government letters fifth read above, the reports regarding disciplinary action against the Prison staff and the proof of payment of the exgratia paid to the next kin of the deceased was submitted to the National Human Rights Commission, New Delhi.

(P.T.O.)

6. The Assistant Registrar (Law), Nation Human Rights Commission, New Delhi, in the reference sixth read above, has informed that while considering all the circumstances, the Commission has recommended Rs.1,00,000/- as monetary relief to the next of kin of deceased Wadde Dasarla Ramulu.
7. Government, after careful consideration of the matter, hereby accord sanction of an amount of Rs.1,00,000/- (Rupees One lakh only) towards payment of monetary relief to the next of kin of the deceased Sri Wadde Dasarla Ramulu.
8. The amount sanctioned in para (7) above, shall be debited to the Head of Account: "2056 Jails - MH 101 Jails- SH (4) Jails -500 Other Charges /501 Compensation (Charged)" and shall initially be met by way of an advance from the Contingency Fund, Orders regarding which will be issued by the Finance (BG) Department separately.
9. The Director General & Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para (7) above and place the amount at the disposal of the Collector & District Magistrate, Mahabubnagar District to pay Rs.1,00,000/- (Rupees One lakh only) to the next kin of the deceased and to submit compliance report along with the proof of payment.
10. The Director General & Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, shall send necessary proposal for obtaining supplementary grant at appropriate time during current financial year, 2008-2009 towards recoupment of advance from the Contingency Fund.
11. The Director General & Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, shall take further action accordingly.
12. This order issues with the concurrence of the Finance (Exp.Home) Department vide their U.O.No.27211/437/A2/Expr.H&L/08, dated: 20-09-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Director General & Inspector General of Prisons &
Correctional Services, Andhra Pradesh, Hyderabad.
The Collector & District Magistrate, Mahabubnagar District.
The Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad.
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Pay & Accounts Officer, Andhra Pradesh, Hyderabad.
The District Treasury Officer, Mahabubnagar District.

Copy to:

The Assistant Registrar (Law),
National Human Rights Commission,
Faridkot House, Copernicus Marg,
New Delhi - 100 001.
The Finance (Exp.Home) Department.
The Finance (BG) Department.
The General Administration (HRC) Department.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER